



EXPRESS MAIL NO. ED328068567

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: : M. Bahramian and H. Zarbl  
Application No. : 09/472,558  
Filed: : December 27, 1999  
For : *MUTING GENE ACTIVITY  
USING A TRANSGENIC NUCLEIC ACID*

Examiner : Peter Paras, Jr.  
Art Unit: : 1632  
Docket No. : 9.001  
Customer # : 46167

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Washington DC 20231-1450

DECLARATION UNDER 37 CFR 1.131

Honorable Commissioner:

- [1] We are Mohammad B. Bahramian and Helmut Zarbl, co-inventors of the subject matter of the rejected claims of the above-identified patent application.
- [2] The attached reproductions of pages of our notebooks contain entries of details of experiments that are described in the patent application, as follows.
- [3] Results on pages 195-197 and interpretations on pages 198-199 correspond to measurement of RNA harvested approximately 24 hours post-electroporation. The samples are analyzed on a long sequencing gel and the data for this Experiment #1 is shown as Fig. 2A in the patent application.
- [4] The RNA used for Experiments #2 and #3 are the same, but different than Experiment #1, harvested 24 hours after electroporation and used different probes synthesized on different days.
- [5] The Experiment #2 starts on page 179, continues on page 183 and finishes on page 185. The data for Experiment #3 (RNA 1 with probe 2) are recorded on pages 186-188.